

# LAW AND CONTEMPORARY PROBLEMS

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## FOREWORD

The international situation is such that it appears likely that for many years in the future we shall be adjusting our lives and economies to the effects of a cold war. One of the consequences of the tensions created by this situation is that there are constantly recurring crises and alarms, some of which do terminate in shooting wars of various sizes and any of which may flare up into World War III between the free nations and the forces of communism.

Under such conditions, even if wartime controls are not actually in effect, wholly or in part, at any given time, the plans and skeleton forces for at least the more important of them must certainly be in a state of constant readiness, particularly as the threat of atomic warfare grows ever more ominous. If needed, it will be imperative that such controls go into operation with a minimum of delay, confusion, and hardship. However much disagreement there may be over their nature and extent, or the need for them in certain areas at specified times, there can be little dispute that in the event of a truly global conflict or the catastrophe of an atomic attack on this country without warning, the immediate use of such controls over prices and other facets of our economy would be necessary in this and all other belligerent countries. For these reasons, the publication of a symposium devoted to a searching examination of some of the complex problems growing out of our most recent experience between 1950-1953 in this country with price controls is appropriate.

As might be expected, the controllers of 1950-1953 drew heavily, perhaps too heavily, upon the experiences of OPA in this field during World War II. Undoubtedly, such reliance on the OPA methods was inevitable, considering the short time which had elapsed since their termination before the Korean outbreak. In fact, many personnel of OPS had also served in OPA or other World War II defense agencies. Much of value was obtained from this World War II experience in price controls, but yet the differences between 1940-1945 and 1950-1953, in retrospect at least, appear so significant that it is hardly remarkable that OPS in handling many of its perplexing questions was finally forced to attempt new and different solutions for them. The experiences of OPS, therefore, are certainly not offered as a pattern to be followed slavishly during any future emergency demanding price controls. Whatever the nature of that crisis may be, it is certain to differ in many

crucial ways from that of 1950-1953. And the history of OPS vividly illustrates the dangers of too closely copying past patterns and of being blinded by them to the differing needs of the present.

In many respects, OPS operated under unusually adverse conditions. Thus, public opinion was sharply divided both as to the merits of any price control at all and as to the merits of the Korean war and of our entire foreign policy in the Far East. As the threat of a full scale shooting war on a world-wide basis lessened, OPS was increasingly beset by hostile critics. Like OPA, it found that without widespread public support, engendered by an actual or clearly imminent global shooting war, price control, at least in a democracy, did not function well. The very bases and conditions of life in free nations make the imposition of such stringent regulations, interfering so drastically with competitive forces in the market place, unusually difficult, however necessary in a time of cold war they may be. To find a solution for this problem, under the shadow of atomic warfare, may well be vital for the survival of our nation.

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